UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
DAO, THUY CHAN

ART UNIT	PAPER NUMBER
2192	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 November 2008</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2,11,12 and 21-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2,11,12 and 21-25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>30 September 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
           application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on November 7, 2008 has been entered.

2. Claims 1-2, 11-12, and 21-25 have been examined.

Response to Amendments

3. In the instant amendment, claims 1, 11, 21, and 23 have been amended.

4. The objection to claim 24 is withdrawn in view of Applicant's amendments.

Claim Objections

5. Claims 1, 11, and 21 are objected to because of minor informalities. Claim 1 is the representative claim.

In lines 8-9, the phrase is considered to read as - -...by validating [[the]] syntax of the meta-language definition module and <u>syntax of</u> the meta-language implementation module- -; and

the phrase "program" is considered to read as - -<u>computer</u> program- - as previously recited in line 3.

Appropriate correction is requested.

6. Claims 2 and 12 recite the newly added limitations in claims 1 and 11, respectively. Accordingly, claims 2 and 12 are redundant and should be amended or canceled in the next communication with the Office.

Response to Arguments

7. Applicants' arguments have been considered. but are moot in view of the new ground(s) of rejection.

Claim Rejections – 35 USC §102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form
the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a
printed publication in this or a foreign country, before the invention thereof by the applicant for a
patent.

9. Claims 1, 2, 11, 12 and 21 are rejected under 35 U.S.C. 102(a) as being anticipated
by "Java and XML Data Binding" to McLaughlin (art made of record, hereafter
"McLaughlin").

Claim 1:

McLaughlin discloses *a method for validating programs, the method comprising:*

receiving a meta-language description of a computer program (e.g.,
section 3.1.4, Figure 3-1, receiving DTD and Binding schema; section 4.1.1 XML data),

*the meta-language description comprising a meta-language
implementation module, the meta-language implementation module defining a first class
to be implemented by the program* (e.g., section 6.4.4 classes "filmCrewMember",
"productionCrewMember", and "editingCrewMember"; section 4.4.1 the MoviesServlet
class) *and*

*and a meta-language definition module, the meta-language definition
module defining a first interface associated with the class* (e.g., section 6.4.4, interface
"Person" associated with the above classes "filmCrewMember", "production
CrewMember", and "editingCrewMember")*;*

*validating the meta-language description by validating syntax of the meta-
language definition module and syntax of the meta-language implementation module*
(e.g., section 3.1.4, Figure 3-1, validating Binding schema against DTD; section 3.2.1,
an example of DTD of a movie database; section 4.2. Creating the XML; section 4.2.2
Validation)

generating a language-dependent program from the meta-language
description (e.g., section 3.1.4, Figure 3-1, generating Java source code; section 4.1.3,
Figure 4-2; section 4.3 Converting to Java),

the language-dependent program comprising the first interface and the
first class (e.g., section 4.1.2 Java conversion including interface "Person" and
associated classes "filmCrewMember", "production Crewmember", and "editing
CrewMember" in section 6.4.4); and

performing usage and semantic checks by compiling the generated first
interface and the generated first class (e.g., section 3.1.4, Figure 3-1, Java compiler;
section 4.3.2 Java Output; section 4.4 Using the results, i.e., using the generated Java
interface and class).

Claim 2:

The rejection of claim 1 is incorporated. McLaughlin discloses *validating the
meta-language description by validating syntax of the meta-language definition module
and syntax of the meta-language implementation module* (e.g., section 3.1.4, Figure 3-
1, validating Binding schema against DTD; section 3.2.1, an example of DTD of a movie
database; section 4.2. Creating the XML; section 4.2.2 Validation)

Claims 11-12:

Claims 11-12 are a computer program product versions, which recite the same
limitations as those of claims 1-2, wherein all claimed limitations have been addressed
and/or set forth above. Therefore, as the reference teaches all of the limitations of the
above claims, it also teaches all of the limitations of claims 11-12.

Claim 21:

Claim 21 is an apparatus version, which recites the same limitations as those of
claim 1, wherein all claimed limitations have been addressed and/or set forth above.
Therefore, as the reference teaches all of the limitations of the above claim, it also
teaches all of the limitations of claim 21.

Claim Rejections – 35 USC §103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. Claims 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLaughlin in view of US Patent Publication No. 2003/0007009 A1 to Haley (art made of record, hereafter "Haley").

Claim 22:

The rejection of claim 1 is incorporated. McLaughlin does not explicitly disclose *the language-dependent program comprises a script code section written in a scripting language.*

However, in an analogous art, Haley further discloses *the language-dependent program comprises a script code section written in a scripting language* (e.g., [0031]-[0033]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Haley's teaching into McLaughlin's teaching. One would have been motivated to do so to bind XML data items to scripting language such as JavaScript as suggested by Haley (e.g., [0018], [0043], [0054]).

Claim 23:

The rejection of claim 25 is incorporated. Haley discloses:

generating a compiler language representation of the script code section, the compiler language representation of the script code section comprising a second interface and a second class (e.g., [0040], [0065])*; and*

     performing a semantics check of the script code section by compiling the second interface and the second class (e.g., [0028], [0074], [0076]).

     It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Haley's teaching into McLaughlin's teaching. One would have been motivated to do so to as set forth above.

Claim 24:

     The rejection of claim 23 is incorporated. Haley discloses *performing usage and semantic checks by compiling the generated second interface and the generated second class* (e.g., [0018], [0040], [0074]).

     It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Haley's teaching into McLaughlin's teaching. One would have been motivated to do so to as set forth above.

Claim 25:

     The rejection of claim 22 is incorporated. Haley discloses:

     performing a usage check on the script code section by: extracting language elements from the script code section (e.g., [0031], [0065]) *and*

     comparing the extracted language elements with the meta-language definition module (e.g., [0028], [0040], [0076]).

     It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Haley's teaching into McLaughlin's teaching. One would have been motivated to do so to as set forth above.

<div align="center">

Conclusion

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12. Any inquiry concerning this communication should be directed to examiner Thuy Dao (Twee), whose telephone/fax numbers are (571) 272 8570 and (571) 273 8570, respectively. The examiner can normally be reached on every Tuesday, Thursday, and Friday from 6:00AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached at (571) 272 3695.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273 8300.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is (571) 272 2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Thuy Dao/   /Tuan Q. Dam/
Examiner, Art Unit 2192   Supervisory Patent Examiner, Art Unit 2192